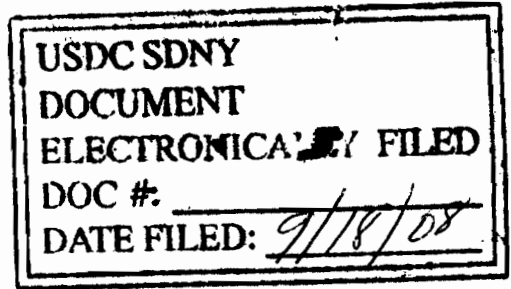


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
IN RE METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION
----- X

This document relates to:

City of Marksville v. Alon USA Energy, Inc., et al., Case
No. 04-CV-03412
----- X



Master File No. 1:00-1898
MDL 1358 (SAS), M21-88

**ORDER OF DISMISSAL WITH
PREJUDICE**

The Plaintiff and those Settling Defendants that are parties in this action as set forth on the attached Exhibit A have advised the Court that they have resolved the matters between them pursuant to the Settlement Agreement¹, and Plaintiff has now moved without opposition for the entry of this agreed upon dismissal of all claims of any kind pending against the Settling

Defendants with prejudice. The Court finds that the motion for dismissal of Settling Defendants with prejudice from this action should be granted and that:

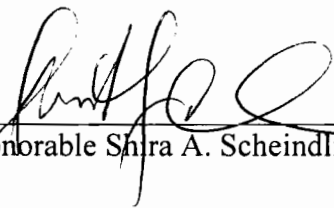
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiff and Settling Defendants have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a release.
2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of Settling Defendants only from this action.

¹ The Settlement Agreement dated as of March 12, 2008 ("Settlement Agreement") was filed with this Court on May 7, 2008 in connection with a motion for good faith determination under California and Illinois law in certain other cases. This motion was granted and a judgment entered. See Amended Opinion and Order at 2008 WL 2944653 (July 30, 2008). The term "Settling Defendants" used herein is as defined in the Settlement Agreement.

3. No other parties have objected to the dismissal of the above entitled action with prejudice as to the Settling Defendants only.
4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind, is hereby dismissed with prejudice only as to those Settling Defendants that have been named or have appeared in the above captioned action, including those identified on the attached Exhibit A, with each party to bear its own costs and attorneys' fees.

ENTERED this 17 day of September, 2008:



Honorable Shira A. Scheindlin

EXHIBIT A

The Settling Defendants below are named defendants in the case of *Town (City) of Marksville v. Alon USA Energy, Inc., et al.*, Case No. 04-CV-03412 and are listed as they appear in the caption of Plaintiffs' complaint (even if erroneously identified or no longer in existence).

1. Amerada Hess Corporation
2. Ashland Inc.
3. Atlantic Richfield Company, individually and doing business as ARCO Products Company (f/k/a ARCO Petroleum Co.) and also known as ARCO
4. BP Products North America, Inc., individually and as successor-by-merger to Amoco Oil Company and BP Exploration and Oil Inc. (successor-by-merger to BP North America Inc.)
5. Chevron Texaco Corporation, individually as a successor-in-interest to Chevron Corporation and a successor-in-interest to Texaco, Inc.
6. Chevron U.S.A., Inc., individually and formerly known as Gulf Oil Corp. (d/b/a Chevron Products Company, d/b/a Chevron Chemical Company)
7. CITGO Petroleum Corporation
8. CITGO Refining and Chemicals Company, LP
9. Coastal Eagle Point Oil Company
10. Coastal Mobile Refining Company
11. ConocoPhillips Company, individually and as successor-in-interest to Conoco, Inc. and Phillips Petroleum Company, and d/b/a Phillips 66 Company
12. Diamond Shamrock Refining and Marketing Company
13. El Paso CGP Company, individually and formerly known as The Coastal Corporation
14. El Paso Corporation, individually and formerly known as El Paso Energy Corporation
15. El Paso Merchant Energy Petroleum Company, individually and formerly known as Coastal Refining and Marketing, Inc. and formerly known as Coastal States Trading, Inc.
16. Equilon Enterprises, LLC, individually and formerly known as Shell Oil Products US
17. Flint Hills Resources, LP (f/k/a Koch Petroleum Group, LP)
18. Lyondell-CITGO Refining, LP
19. Marathon Ashland Petroleum LLC
20. Marathon Oil Company
21. Motiva Enterprises, LLC, individually and formerly known as Star Enterprises, LLC
22. PDV Midwest Refining, LLC
23. The Premcor Refining Group Inc., individually and formerly known as Clark Refining
24. Shell Oil Company
25. Shell Oil Products Company
26. Shell Oil Products Company, LLC
27. Shell Petroleum, Inc.
28. Shell Trading (US) Company, individually and formerly known as Equiva Trading Company, and also known as STUSCO
29. Sunoco, Inc., individually and formerly known as Sun Oil Company, and formerly known as Sun Company, Inc.
30. Sunoco, Inc. (R&M) (individually and formerly known as Sun Refining and Marketing Company and formerly known as Sun Company Inc. (R&M))
31. Texaco, Inc.

32. Texaco Refining and Marketing Inc. (a/k/a TRMI Holdings)
33. TMR Company (f/k/a Texaco Refining and Marketing Inc., individually and as successor-by-merger to TRME Co. (f/k/a Texaco Refining and Marketing (East) Inc.)
34. Tosco Corporation, individually and also known as Tosco Refining Company and also known as Tosco Marketing Company
35. TPI Petroleum, Inc.
36. Ultramar Inc.
37. Union Oil Company of California d/b/a Unocal
38. Unocal Corporation, individually and formerly known as Union Oil Company of California
39. Valero Energy Corporation
40. Valero Marketing and Supply Company
41. Valero Refining and Marketing Company
42. Valero Refining Company-Louisiana